IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

WRIT PETITION NO.2605 OF 1992
ALONGWITH
WRIT PETITION NO.2687 OF 1992
ALONGWITH
WRIT PETITION NO.2606 OF 1992
ALONGWITH
WRIT PETITION NO.2688 OF 1992

Office Notes, Office Memoranda of coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders.

Mr.Ranjit V.More for the petitioners.

CORAM: D.B.BHOSALE, J.

DATED: 22ND FEBRUARY, 2005.

P.C.:

. Heard Mr.More, learned counsel for the petitioners.

2. In this group of writ petitions, all the petitioners are proposed milk societies, whose proposals were initially approved by the orders of Assistant Registrar and all the petitioners were granted permission to open bank account and collect milk. However, the orders passed by the Assistant Registrar were set aside by the Divisional Deputy Registrar,

Co-operative Societies (Dairy), Pune Division, Pune in the appeals filed by respondent no.1. Respondent No.1 in all the writ petitions are also proposed societies which made grievance that they were not heard by the Assistant Registrar when the petitioner-societies were given permission to collect milk and open a bank account and when the orders were passed by the Assistant Registrars. In all the writ petitions while issuing Rule on 15.7.1992 an ad-interim relief in terms of prayer clause (c) was granted and which was subsequently confirmed on 15.7.1992. By virtue of this order the petitioner-societies were allowed to operate and collect milk. The net result of the interim relief that was granted on 15.7.1992 was that the order passed by the Divisional Deputy Registrar, remain stayed all these years. Mr.More, learned counsel for the petitioners, however, is not in a position to state as to what is the status of the petitioner-societies (proposed) as of today, whether they

have been registered or not and, if not, whether they are still interested in there registration. However, if the petitioner-societies are still not registered and they are collecting milk, their proposals are liable to be considered for registration on the basis of the milk they have been collecting all these years. Respondent Nos.1 and 2 though served chose to remain absent all throughout. Keeping that in view and considering the overall facts and circumstances of the case, in my opinion, the following order shall meet the ends of justice:

. If the petitioners-societies (proposed) are not yet registered and they are still collecting milk, their proposal may be considered by the Assistant Registrar for registration after issuing notice and giving an opportunity of being heard to respondent nos.1 and 2 as also to any other society operating in that village. While considering the proposal of the petitioner-societies collection of milk,

if any, they have been making all these years will be taken into consideration by the Assistant Registrar. All contentions are left open. Rule in all the four writ petitions is disposed of in aforesaid terms.

. The writ petitions are, accordingly, disposed of.

(D.B.Bhosale, J.)